

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

ALEXANDRS ORTIZ,

Plaintiff,

Civil Action No. 1:22cv109 TBM-RPM

v.

LOVE'S TRAVEL STOPS & COUNTRY  
STORES, INC.,

Defendant.

---

**COMPLAINT**

---

Plaintiff Alexandrs Ortiz states the following as his complaint against Love's Travel Stops & Country Stores, Inc. ("the Defendant"):

**INTRODUCTION**

1. This is a personal injury action. On August 18, 2021, Plaintiff Alexandrs Ortiz was catastrophically injured while refueling his car at the Love's Travel Stop located at 11332 Cedar Lake Rd., Biloxi, MS. As Mr. Ortiz was refueling his car, gas began spraying uncontrollably from a hole in the pump hose. The vapors from the gas ignited and engulfed Mr. Ortiz in flames. Mr. Ortiz suffered 2nd and 3rd degree burns to his arms, legs, neck, and face. His injuries and damages were caused by the negligence of the Defendant in failing to properly inspect, maintain, service, and monitor the fuel pump and hose that were involved in the incident.

## **PARTIES**

2. Plaintiff Alexandrs Ortiz is over the age of 19 and a resident and citizen of Mississippi.

3. Defendant Love's Travel Stops & Country Stores, Inc. is incorporated in Oklahoma and maintains its corporate headquarters in Oklahoma. At the time of the incident, Defendant Love's Travel Stop & Country Stores, Inc. owned and operated the Love's Travel Stop located at 11332 Cedar Lake Rd., Biloxi, MS.

## **JURISDICTION AND VENUE**

4. This Court has subject matter jurisdiction over this case pursuant to 28 U.S.C. §1332(a) because the amount in controversy exceeds \$75,000 and this case is between citizens of different states.

5. Under 28 U.S.C. §1391, this Court is the proper venue for this case because a substantial part of the events or omissions giving rise to Plaintiff's claims occurred within the United States Court for the Southern District of Mississippi.

6. The Defendant is subject to the jurisdiction of this Court because it intentionally availed itself of the benefit of doing business in Mississippi by operating a service station in Mississippi, and the Defendant's operations in Mississippi caused and contributed to Plaintiff's injuries and damages.

**COUNT ONE**  
***Negligence***

7. Plaintiff incorporates by reference the allegations in the preceding paragraphs of this Complaint.

8. Plaintiff's injuries, as described above, were proximately caused by the negligence of the Defendant in one or more of the following ways:

- a. Negligently inspecting the fuel pump and hose;
- b. Negligently maintaining the fuel pump and hose;
- c. Negligently servicing the fuel pump and hose;
- d. Negligently monitoring the fuel pump and hose;
- e. Negligently failing to place shut-off switches in readily identifiable and accessible locations; and
- f. Other acts of negligence that will be shown through discovery.

9. As a proximate result of Defendant's negligence, Plaintiff suffered the following injuries and damages: 2nd and 3rd degree burns on his arms, legs, neck, and face, physical disfigurement, past and future physical pain and suffering, past and future emotional and mental injury, past and future loss of enjoyment of life, past and future lost income, and past and future medical expenses.

WHEREFORE, Plaintiff demands judgment for compensatory damages against the Defendant in an amount deemed appropriate by the jury, plus interests and costs.

**PLAINTIFF DEMANDS A JURY TRIAL**

Respectfully submitted,

/s/ William E. Bonner

WILLIAM E. BONNER (MS Bar # 106004)

**CUNNINGHAM BOUNDS, LLC**

POST OFFICE BOX 66705

MOBILE, AL 36660

251-471-6191 (O)

251-479-1031 (F)

[web@cunninghambounds.com](mailto:web@cunninghambounds.com)

*Attorney for the Plaintiff*